

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
CEDAR RAPIDS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LINDA DARCELL GILBERT,

Defendant.

No. 06-CR-106-LRR

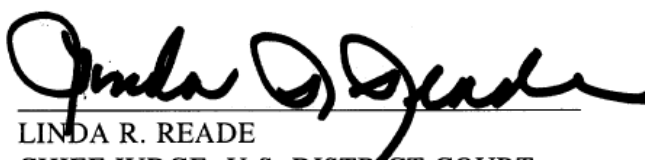
ORDER

The matter before the court is Magistrate Judge Jon S. Scoles's Report and Recommendation (docket no. 187) on the government's "Request for Hearing" (docket no. 183). On March 23, 2010, Judge Scoles held a telephonic hearing on the Motion. The Defendant appeared *pro se*. Assistant United States Attorney Martin J. McLaughlin represented the government.

The time to object to the Report and Recommendation has expired. Defendant has not filed any objections to the Report and Recommendation. Defendant has thus waived her right to de novo review of the Report and Recommendation. *See, e.g., United States v. Rodriguez*, 484 F.3d 1006, 1010-11 (8th Cir. 2007) ("[the defendant's] 'failure to file any objections waived his right to de novo review by the district court of any portion of the report and recommendation of the magistrate judge as well as his right to appeal from the findings of fact therein.'" (quoting *United States v. Newton*, 259 F.3d 964, 966 (8th Cir. 2001))). The court finds no plain error in Judge Scoles's decision. Accordingly, the court **ADOPTS** the Report and Recommendation (docket no. 187). The Motion (docket no. 183) is **DENIED AS MOOT**.

IT IS SO ORDERED.

DATED this 12th day of April, 2010.

A handwritten signature in black ink, appearing to read "Linda R. Reade", written over a horizontal line.

LINDA R. READE
CHIEF JUDGE, U.S. DISTRICT COURT
NORTHERN DISTRICT OF IOWA